

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. CROIX**

UNITED STATES OF AMERICA f/u/b/o TIP TOP  
CONSTRUCTION CORP.,

Plaintiff,

v.

CMGC BUILDING CORP. and ENDURANCE  
AMERICAN INSURANCE COMPANY,

Defendants.

Case 1:17-CV-00026

**ORDER GRANTING DISMISSAL WITH PREJUDICE**

**THIS MATTER** came before the Court on the Joint Motion To Dismiss With Prejudice (Docket No. 160 ) and the Court being satisfied in the premises:


WHEREFORE, it is now hereby **ORDERED**:

1. The Joint Motion to Dismiss With Prejudice, Docket No. 160 , is **GRANTED**.
2. That all claims by the Plaintiff in this matter as against Defendants are **DISMISSED IN THEIR ENTIRETY AND WITH PREJUDICE**.
3. That all counterclaims by the Defendant CMGC Building Corp. against Counter Defendant Tip Top Construction Corp. are **DISMISSED IN THEIR ENTIRETY AND WITH PREJUDICE**.
4. That Tip Top Construction Corp. will pay for its own costs, expenses and attorneys' fees which were incurred by Tip Top Construction Corp. in prosecuting or defending this matter and reaching settlement without seeking any reimbursement from CMGC Building Corp. and Endurance American Insurance Company.
5. That Tip Top Construction Corp. will not be responsible for the costs, expenses and attorneys' fees which were incurred by CMGC Building Corp. and Endurance

American Insurance Company in prosecuting or defending this matter and reaching settlement.

ENTER:

Dated: January 17, 2024

A handwritten signature in blue ink, appearing to read "R. A. Molloy", is written over a horizontal line.

**ROBERT A. MOLLOY**  
Chief Judge